

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

In re NATIONAL PRESCRIPTION OPIATE LITIGATION)	MDL No. 2804
)	
)	Case No. 1:17-md-2804
)	
This Document Relates To:)	Hon. Dan A. Polster
)	
<i>The County of Summit, Ohio, et al. v.</i>)	
<i>Purdue Pharma L.P., et al.,</i>)	
Case No. 18-op-45090)	
)	

DECLARATION OF THOMAS E. EGLER IN SUPPORT OF
PLAINTIFFS' MEMORANDUM OF LAW IN OPPOSITION TO
DEFENDANT ALLERGAN PLC'S MOTION TO DISMISS
PURSUANT TO RULE 12(b)(2) FOR LACK OF PERSONAL JURISDICTION

I, THOMAS E. EGLER, declare as follows:

1. I am a member of the law firm of Robbins Geller Rudman & Dowd LLP, which has been appointed to the plaintiffs' executive committee of the MDL and represents plaintiffs in the above-captioned action. I have personal knowledge of the matters stated herein; and, if called upon, I could and would competently testify thereto. I submit this declaration in support of Plaintiffs' Memorandum of Law in Opposition to Defendant Allergan plc's Motion to Dismiss Pursuant to Rule 12(b)(2) for Lack of Personal Jurisdiction.

2. Attached are true and correct copies of the following exhibits:

- Exhibit 1: Relevant excerpts from Allergan plc's Form 10-K for the year ended December 31, 2018;
- Exhibit 2: Brian O'Keefe, *Actavis: The latest Fortune 500 company to "leave" the U.S. for tax reasons*, Fortune (May 21, 2013) (Allergan Kaufhold Tr. Ex. 15);
- Exhibit 3: *The Economic and Community Impact of Allergan to Ohio*, UC Economics Center Research and Consulting (April 2019);
- Exhibit 4: Press Release, Allergan, New Study Showcases Economic and Community Impact of Allergan's Operations in Ohio (April 15, 2019);
- Exhibit 5: ALLERGAN_MDL_04451804-15 [sealed];
- Exhibit 6: ALLERGAN_MDL_04451501-14 [sealed];
- Exhibit 7: Relevant excerpts from the Third Amended Complaint and Jury Demand, ECF No. 1466, filed March 21, 2019;
- Exhibit 8: Letter to Timothy Knapp from Thomas Egler re *In re National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio) Jurisdictional Discovery, dated June 20, 2019;
- Exhibit 9: Press Release, Allergan, Actavis plc is now Allergan plc (June 15, 2015);
- Exhibit 10: Press Release, Allergan, Actavis Completes Warner Chilcott Acquisition (October 1, 2013);
- Exhibit 11: Relevant excerpts from Actavis, Inc.'s Form 10-K for the year ended December 31, 2012;
- Exhibit 12: Relevant excerpts from Actavis plc's Form 10-K for the year ended December 31, 2013;

- Exhibit 13: Constitution of Allergan Public Limited Company Memorandum of Association, dated May 16, 2013;
- Exhibit 14: Relevant excerpts from the transcript of the videotaped deposition of Stephan Kaufhold (Allergan), taken on October 26, 2018 (“Allergan Kaufhold Tr.”) **[sealed]**;
- Exhibit 15: ALLERGAN_MDL_04451515-18 **[sealed]**;
- Exhibit 16: Relevant excerpts from ALLERGAN_MDL_04451519-794 **[sealed]**;
- Exhibit 17: Press Release, Allergan, Allergan plc Completes Divestiture of Global Generics Business to Teva Pharmaceuticals (August 2, 2016);
- Exhibit 18: ALLERGAN_MDL_01385833 **[sealed]**;
- Exhibit 19: Schedule 1.1(f) Transferred entities **[sealed]**;
- Exhibit 20: Settlement Agreement and Mutual Releases between Teva Pharmaceutical Industries Ltd. and Allergan plc, dated January 31, 2018;
- Exhibit 21: Relevant excerpts from Allergan plc’s Form 10-K for the year ended December 31, 2015;
- Exhibit 22: Relevant excerpts from Allergan plc 2016’s Irish Annual Report, dated April 6, 2017;
- Exhibit 23: ALLERGAN_MDL_SUPP_00000326-338 **[sealed]**;
- Exhibit 24: ALLERGAN_MDL_02185805-15 **[sealed]**;
- Exhibit 25: ALLERGAN_MDL_04242038-99 **[sealed]**;
- Exhibit 26: ALLERGAN_MDL_01836286-87 **[sealed]**;
- Exhibit 27: ALLERGAN_MDL_02024980-82 (Allergan Kaufhold Tr. Ex. 21) **[sealed]**;
- Exhibit 28: Acquired_Actavis_00897878 **[sealed]**;
- Exhibit 29: ALLERGAN_MDL_01335569-70 (Allergan Kaufhold Tr. Ex. 17) **[sealed]**;
- Exhibit 30: ALLERGAN_MDL_01334578-79 (Allergan Kaufhold Tr. Ex. 18) **[sealed]**;
- Exhibit 31: ALLERGAN_MDL_01334588-89 (Allergan Kaufhold Tr. Ex. 19) **[sealed]**;
- Exhibit 32: ALLERGAN_MDL_01489486-88 (Allergan Kaufhold Tr. Ex. 20) **[sealed]**;
- Exhibit 33: Relevant excerpts from the transcript of the videotaped deposition of Julie Snyder (Allergan), taken on November 2, 2018 **[sealed]**;
- Exhibit 34: ALLERGAN_MDL_04382952-53 **[sealed]**;
- Exhibit 35: ALLERGAN_MDL_04382929-49 **[sealed]**;

Exhibit 36: ALLERGAN_MDL_04452226 (printout of native Excel file) **[sealed]**; and

Exhibit 37: ALLERGAN_MDL_04451817 (printout of native Excel file) **[sealed]**.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on July 9, 2019, at San Diego, California.



THOMAS E. EGLER

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 9, 2019, the foregoing was filed electronically with the Clerk of Court using the Court's CM/ECF system, and will be served via the Court's CM/ECF filing system on all attorneys of record.

s/ AELISH M. BAIG

AELISH M. BAIG

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